

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

UNITED STATES OF AMERICA

V.

CAUSE NO. 3:15CR69HTW-FKB-001

SAM WAGGONER

MOTION FOR CONTINUANCE

COMES NOW, your defendant, Sam Waggoner, by and through the undersigned counsel and files this his Motion for Continuance in the above styled and referenced cause and as grounds in support of same would respectfully state unto this Honorable Court the following to wit:

1.

Due to the complexity if the case the defense counsel needs more time to prepare for sentencing.

2.

In addition, the AUSA prosecuting the case does not have an objection to the continuance.

3.

Lastly, the Defendant has recently had open heart surgery on October 8, 2015, and is experiencing complication from said surgery. Defendant has been in and out of the hospital since his surgery.

4.

That your defendant after being fully advised of his rights pursuant to the Speedy Trial Act, hereby agrees to this requests and specifically waives the time period covered

by this continuance, if granted and further states that the request is not for delay, but, is in the interests of justice and fairness.

WHEREFORE, PREMISES CONSIDERED your defendant, Sam Waggoner, by and through undersigned counsel respectfully requests that his Motion for Continuance be received and considered by this Honorable Court and after same and Order issue granting continuance of the previously set-trial date in this cause.

Respectfully Submitted

SAM WAGGONER,
Defendant

BY: /s/ Nicholas R. Bain
NICHOLAS R. BAIN,
Attorney for Defendant

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CERTIFICATE OF SERVICE

I, Nicholas R. Bain, hereby certify that on October 27, 2015, I did electronically file the foregoing Motion to Continue with the Clerk of the Court using the ECF system which sent notification of such filing to the United States Attorney Office.

/s/ Nicholas R. Bain